

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Paul T. Spivey, et al.

Serial No.: 09/625,345

Filed: July 25, 2000

Title: HEATER CHIP FOR AN INKJET  
PRINthead

Group: 2853

Examiner: L. TRAN

**RECEIVED**

JUL 14 2004

**TECH CENTER 2300**DECLARATION UNDER 37 C.F.R. 1.131(a)Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Paul T. Spivey, Carl E. Sullivan and Kent L. Ubellacker, the applicants in the above-identified patent application, declare as follows:

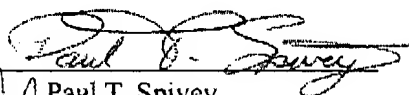
1. That sometime prior to March 29, 1999, we conceived of an ink jet printhead assembly.
2. That said ink jet printhead assembly included a heater chip including a backside with at least one cavity; a substrate associated with said backside of said heater chip, said substrate having a substantially flat surface opposing said at least one cavity; and adhesive at least partially disposed within said at least one cavity, said adhesive adhering said backside of said heater chip to said substantially flat surface of said substrate; wherein said at least one cavity comprises at least one trench; and wherein said heater chip includes a plurality of ink vias, said adhesive being configured for preventing fluid communication between said plurality of ink vias in an area defined between said heater chip and said substrate.
3. That said heater chip included at least one outside edge, said at least one trench extending to said at least one outside edge to thereby form at least one vent.
4. That said at least one vent is configured for allowing said adhesive to outgas during curing.

5. That said ink jet printhead assembly described above in paragraphs 1, 2, 3 and 4 was described in a bound lab notebook, from which a true copy of a relevant notebook entry was made, and is attached hereto as **Exhibit A**.

6. That said notebook entry was signed and dated February 9, 1999.

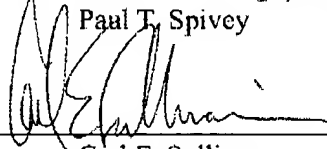
7. That declarants were diligent with respect to said ink jet printhead assembly from a time prior to March 29, 1999, to a time of submission to the Lexmark Intellectual Property Law Department of an Invention Disclosure (five pages), signed and dated May 14, 1999, which is attached hereto as **Exhibit B**, and were diligent from a time prior to March 29, 1999, to a time of filing the above-identified patent application directed to said ink jet printhead assembly, as evidenced by said Invention Disclosure.

Each of the declarants further state that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

  
Paul T. Spivey


7/8/04

Date

  
Carl E. Sullivan

7/8/04

Date

  
Kent L. Ubellacker

7/8/04

Date